

Instructions: How to complete the forms and steps to restore civil rights / firearm rights

Things to consider before filing this application:

1. If your conviction was from a justice, city or magistrate court, please contact that court for an application and information about your case.
2. If you have multiple cases, you must make a separate application for each case number. The Court must decide each one separately.

STEP 1: In black ink, please complete the forms in this packet with instructions below.

FORM: Application Upon Discharge to Restore Civil Rights/Firearm Rights or Request for Reconsideration

HEADING

- At the top of the form, please fill in your name, street address, city, state, zip code, telephone number (if not protected), attorney bar number (if you are represented by an attorney).
- Put a check in the box if you are representing yourself.
- If you have an attorney representing you, place a check in that box.
- Write your first and last name on the line above "Defendant."
- Enter your date of birth.
- Check the box to identify who the applicant is.
- Write in your case number on the line at the upper right side of the page, and on the following pages.
- Check the appropriate box(es) to tell the Court what you are requesting. If a prior application to restore rights was denied, check the box to tell the Court that this is a *Request for Reconsideration*

CONVICTIONS

- Enter the date of your conviction(s). Enter the charges of your conviction.
- Information about your conviction may be found online at the Superior Court's website:
<http://www.superiorcourt.maricopa.gov/docket/CriminalCourtCases/caseSearch.asp>. You may also come to a Law Library Resource Center or Clerk of Superior Court location to look up your case. See: www.superiorcourt.maricopa.gov or <http://www.clerkofcourt.maricopa.gov/copies.asp> for locations and more information.

STATE CONVICTION

- If your case was handled by the Superior Court of Arizona in Maricopa County, place a check in the boxes that apply to you.
- Check a box to indicate whether this is your first felony conviction or whether you have other felony convictions. If you have other felony convictions, identify the court and case number of each case.
- If your conviction resulted in a prison sentence, a *Certificate of Absolute Discharge from Imprisonment* from the Arizona Department of Corrections must be attached to the Application. The Department of Corrections ("DOC") office is located at 1601 W. Jefferson, Phoenix. Before issuing a statement, DOC will require the Superior Court's proof of payment of all financial sanctions for that case. Therefore, you should get a financial statement and payment history from the Clerk of Superior Court's Criminal Financial Obligations Section. You may request a payment history in person from the Criminal File Counter, South Court Tower, 175 West Madison Street, 12th Floor, Phoenix, AZ 85003 or the File Counter, Southeast Regional Court Facility, 222 East Javelina Avenue, Mesa, AZ 85210. You will need to fill out a request and pay a fee, and the payment history will be sent to you. Contact Criminal Financial Obligations for details and more options at (602)372-5375.
- Additional DOC information may be available at <https://corrections.az.gov/>.
- If this is a second or subsequent conviction, the application should not be submitted until two (2) years after the date of the absolute discharge.
- If probation was granted, state the specific date of discharge from probation. To identify the specific date of completion of probation, you may contact the Maricopa County Adult Probation Office by calling (602)506-7249.

FEDERAL CONVICTION

- If your case was handled by a Federal Court, place a check in the boxes that apply to you. Write in the name of the District Court that handled your case.
- If you have multiple convictions, you must make a separate application for each case number. The Court must act on each one separately.
- Check a box to indicate whether this is your first felony conviction or whether you have other felony convictions. If you have other felony convictions, identify the court and case number of each case.
- See Step 2 below for the documents that are required to be attached to the application regarding any federal conviction.

VICTIM RESTITUTION AND COURT ORDERED MONETARY OBLIGATIONS

- Answer whether you have completed all victim restitution and Court-ordered monetary obligations.
- If you answer NO, explain in the space provided why these fines have not been paid.

PRIOR RESTORATION OF RIGHTS

- If a prior application was denied, check the box “Request for Reconsideration” at the top of the form. The Request for Reconsideration must explain why it is appropriate to review a prior denial and should include additional or updated information.
- Carefully read and answer all questions regarding prior applications for restoration of rights by checking the “Yes” or “No” boxes of each question.

PENDING CASES AND ACTIVE WARRANTS

- Tell the Court whether there are any open criminal cases against you. Tell the Court whether you have an active warrant. If you answer “Yes” to either of these questions use the lines provided to explain.

RESTORATION OF FIREARMS

- Read the NOTE regarding Arizona Revised Statute requirements.
- Read and check each box that applies to your situation.
- Explain the reason you are requesting a right to possess a firearm be restored.
- Generally, if a person was convicted of only one felony and that felony was a non-dangerous offense (see A.R.S. § 13-706), the right to possess or carry a firearm was restored automatically if a Court set aside the judgment of guilt.
- For a person convicted of two or more felonies, an applicant’s statement in support of the request to restore right to possess or carry firearm should be considered and a court may grant the restoration of the right to possess a firearm.

OTHER INFORMATION FOR THE COURT

- Use the lines provided to explain anything else you would like the Court to take into consideration about the things you have asked for in this application.
- If you are providing documents, list the documents in the lines provided.
- Answer whether you would like a hearing regarding your restoration application. NOTE: the Court may decide on the application WITHOUT a hearing even if you request one.

SIGNATURES AND DATES

- Review everything you wrote on the form.
- Sign and date your signature on the lines provided or sign the authorization for your attorney to proceed on your behalf.

STEP 2: Put documents together

- You will need the following forms:

STATE CONVICTIONS	FEDERAL CONVICTIONS
<ul style="list-style-type: none">Original <i>"Application Upon Discharge to Restore Civil Rights and/or Firearm Rights or Request for Reconsideration"</i>Copy of <i>"Certificate of Absolute Discharge from Imprisonment"</i> from Arizona Department of Corrections (if applicable)Copy of <i>"Discharge from Probation"</i> (if applicable)OPTIONAL – Any other documentation to show extraordinary circumstances, such as rehabilitation or other change of circumstance.	<ul style="list-style-type: none">Original <i>"Application Upon Discharge to Restore Civil Rights and/or Firearm Rights or Request for Reconsideration"</i>Copy of <i>"Certificate of Absolute Discharge from Federal Bureau of Prisons"</i> (if applicable)Copy of <i>"Affidavit of Discharge"</i> from Judge who discharged you from probation* (if applicable)Copy of Indictment or Complaint*Copy of Plea Agreement*Copy of Sentencing paperwork*PROOF (certified mail receipt) of notification to the Federal Prosecuting agencyOPTIONAL – Any other documentation to show extraordinary circumstances, such as rehabilitation or other change of circumstance. <p>*Contact the District Court if you need copies.</p>

STEP 3: Deliver or mail

- The completed application can be filed in person, mailed, eFiled, or deposited in the external depository boxes as described below. The Clerk of Superior Court is open Monday through Friday from 8:00 a.m. to 5:00 p.m.
 - File in Person at:

Criminal File Counter
South Court Tower
175 W. Madison Street, 12th Floor
Phoenix, AZ 85003

File Counter
Southeast Regional Court Facility
222 E Javelina Avenue
Mesa, AZ 85210

- Mail to:

Maricopa County Clerk of the Superior Court
Criminal File Counter
175 W. Madison Street, 12th Floor
Phoenix, AZ 85003
ATTN: Restoration of Civil Rights Clerk

- eFile via: <https://efiling.clerkofcourt.maricopa.gov/>

- Leave in external deposit box at:

County Administration Building
4th Avenue entrance
301 West Jefferson Street
Phoenix, AZ 85003

Southeast Facility Court Facility
North entrance
222 East Javelina Avenue
Mesa, AZ 85210

Northeast Regional Center
Main entrance
18380 North 40th Street
Phoenix, AZ 85032

Northwest Regional Center
Main entrance
14264 West Tierra Buena Lane
Surprise, AZ 85374

STEP 4: Wait for the Court to notify you.

- Upon filing the application, notice of the application will be given to the appropriate prosecutors as required by law.
- If you requested a hearing and a hearing is set, the Court will notify you. The application may be ruled upon without a hearing.
- You will be mailed a signed copy of the Order granting or denying all or part of your request(s) at the address listed on the application form. Please be sure your current mailing address is updated with the Court. If your address changes, contact the Clerk of Superior Court at (602)372-5375.
- If you have questions before you file the application, you can contact the Clerk of Superior Court at (602)372-5375. If you have not received an Order after 120 days from the date you submitted your application, you can contact Criminal Administration at (602)506-8575.

If you have any questions regarding your rights, please refer to the Arizona Rules of Criminal Procedure and Title 13 of the Arizona Revised Statutes located at:

<http://government.westlaw.com/linkedslice/default.asp?SP=AZR-1000>

<http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/13/00905.htm&Title=13&DocType=ARS>

If your civil rights have been restored, in order to be eligible to vote, you must complete and submit a new voter registration form. The felony conviction resulted in the canceling of your registration and merely having civil rights restored does not “un-cancel” the registration. A new registration form is required. Please refer to the Maricopa County Recorder’s Office for additional questions about voter registration.